PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Guy FALARDEAU et al

Application No.: New Application

Filed: December 26, 2001 Attorney Dkt. No.: 108184-00016

For: MACROCYCLIC ANTI-VIRAL COMPOUNDS

PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231 December 26, 2001

Sir:

Prior to calculation of the filing fee and prior to the examination of this application, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please amend the specification by inserting before the first line the sentence

--This nonprovisional application claims the benefit of U.S. Provisional Application No. 60/258,007, filed December 27, 2000. - -

IN THE CLAIMS:

Please amend the following claims:

10. (amended) A method according to claim 1, wherein R_3 and R_4 is H and $\mathbf{R_2}$ and $\mathbf{R'_2}$ is H.

22. (amended) A pharmaceutical composition for treating or preventing viral infection selected from the group consisting of cytomegalovirus (CMV), herpes simplex

virus (HSV), influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and varicella zoster virus (VZV) comprising at least one compound as defined in claim 11 together with at least one pharmaceutically acceptable carrier or excipient.

31. (amended) A compound according to claim 23, wherein R_3 and R_4 is H and $\mathbf{R_2}$ and $\mathbf{R'_2}$ is H.

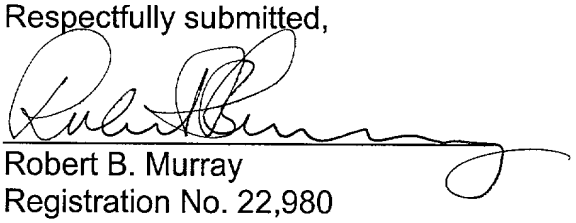
35. (amended) The use of a compound according to formula (I) as defined in claim 23 for the manufacture of a medicament for treating or preventing a viral infection selected from the group consisting of cytomegalovirus (CMV), herpes simplex virus (HSV), influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and varicella zoster virus (VZV).

REMARKS

The above amendment to the claims has been made to correct the multiple dependency of the claims and to put the application in better condition for examination.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300.

Respectfully submitted,



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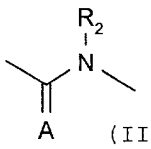
C=O and CHR_4.

4. A method according to claim 1, wherein T is C_{1-6} alkyl optionally substituted with a saturated or unsaturated C_{3-10} (carbocycle or heterocycle).

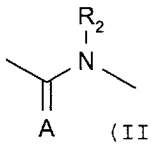
5. A method according to claim 1, wherein T` is C_{1-6} alkyl optionally substituted with a saturated or unsaturated C_{3-10} (carbocycle or heterocycle).

6. A method according to claim 1, wherein B is



(II)

7. A method according to claim 1, wherein B is



(II)

and A is O.

8. A method according to claim 7, wherein T is methyl optionally substituted with a phenyl and Q is O and T` is allyl and Q^1 is a bond.

9. A method according to claim 7, wherein T is methyl optionally substituted with a phenyl and Q is O and T` is methyl optionally substituted with a phenyl and Q^1 is a bond.

10. A method according to [any one claim 1 to 9], wherein R_3 and R_4 is H and $\mathbf{R_2}$ and $\mathbf{R'_2}$ is H.

Claim 1

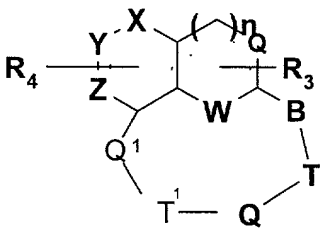
halo-substituted C_{1-4} alkyl or halo-substituted C_{1-4} alkoxy,
C_{1-4} alkyl, C_{1-4} alkoxy or C_{1-4} carboxy;

R_5 is H, C_{1-6} alkyl or C_{1-6} acyl optionally substituted with OH, halogen, amino or C_{1-4} alkoxy; and

n is 0, 1, 2 or 3.

22. A pharmaceutical composition for treating or preventing viral infection selected from the group consisting of cytomegalovirus (CMV), herpes simplex virus (HSV), influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and varicella zoster virus (VZV) comprising at least one compound as defined in anyone of claims 11, 12 and 13 together with at least one pharmaceutically acceptable carrier or excipient.

23. A compound of formula (I) and pharmaceutical acceptable salts thereof:



(I)

wherein, B is

C_{1-4} alkyl, C_{1-4} alkoxy or C_{1-4} carboxy;

R_5 is H, C_{1-6} alkyl or C_{1-6} acyl optionally substituted with OH, halogen, amino or C_{1-4} alkoxy; and

n is 0, 1, 2 or 3.

24. A compound according to claim 23, wherein W is N or NR_5.

25. A compound according to claim 23, wherein Y is N or NR_5 and X and Y are independently selected from CH, CR_4, CH_2, C=O and CHR_4.

26. A compound according to claim 23, wherein T is C_{1-6} alkyl optionally substituted with a saturated or unsaturated C_{3-10} (carbocycle or heterocycle).

27. A compound according to claim 23, wherein T^1 is C_{1-6} alkyl optionally substituted with a saturated or unsaturated C_{3-10} (carbocycle or heterocycle).

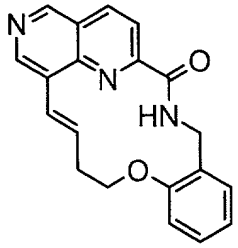
28. A compound according to claim 23, wherein A is O.

29. A compound according to claim 23, wherein A is O and T is methyl optionally substituted with a phenyl and Q is O and T^1 is allyl and Q^1 is a bond.

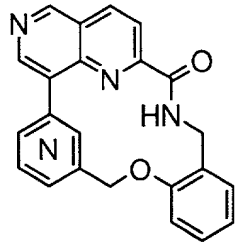
30. A compound according to claim 23, wherein A is O and T is methyl optionally substituted with a phenyl and Q is O and T^1 is methyl optionally substituted with a phenyl and Q^1 is a bond.

31. A compound according to Claim 23 any one claims 23 to 30, wherein R_3 and R_4 is H and R_2 and R'_2 is H.

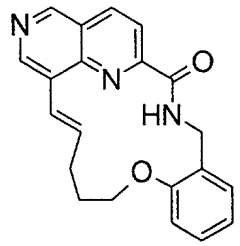
32. The compound of claim 23 wherein the compound of formula I is



33. The compound of claim 23 wherein the compound of formula is



34. The compound of claim 23 wherein the compound of formula is



35. The use of a compound according to formula (I) as defined in [anyone of claims 23 to 34] Claim 23 for the manufacture of a medicament for treating or preventing a viral infection selected from the group consisting of cytomegalovirus (CMV), herpes simplex virus (HSV), influenza, HIV, rhinovirus, Epstein-Barr virus (EBV) and varicella zoster virus (VZV).